

California Regional Water Quality Control Board
Santa Ana Region

STAFF REPORT

April 21, 2006

ITEM: 7

SUBJECT: Appeal of Staff's Denial of Approval for Subsurface Disposal System Use –
Nichalaus and Rhonda Gloudeman, 1363 Ward Way, Mentone, San Bernardino
County, APN 0298-331-03

DISCUSSION:

On March 28, 2006, Mrs. Gloudeman contacted staff requesting approval for the use of an alternative disposal system at the above-referenced site. The property is just under one-half acre in size (18,250-sq. ft. or 0.42 acre net). Mr. and Mrs. Gloudeman propose to construct a 4 bedroom, 2.5-bath house and a 3 bedroom, 2-bath guesthouse at the site. Domestic waste from these residences would be discharged to an on-site advanced treatment subsurface disposal system.

On October 13, 1989, the Regional Board adopted a Basin Plan amendment to incorporate minimum lot size requirements (MLSRs) for septic tank-subsurface disposal system use. The Board found that it was necessary to limit the density of new subsurface disposal systems to control the nitrate quality problems found in the groundwaters of the Region. The MLSRs stipulate that new developments for which on-site subsurface disposal system use is proposed must have a minimum of one-half acre of land per dwelling unit. To satisfy these requirements, the Gloudeman's proposed dwelling units would each require one half-acre minimum lot size. With a density of 0.21 acres per dwelling unit, Mr. and Mrs. Gloudeman's proposal does not comply with the MLSRs.

The MLSRs specify that project proponents may propose an alternative treatment system for sewage disposal as the basis for an exemption from the minimum lot size requirements. Such a proposal must be reviewed on a case-by-case basis and submitted to the Regional Board for consideration. As stated above, Mr. and Mrs. Gloudeman are proposing the use of an alternative treatment system to serve both of the new dwellings. The system being proposed is an aeration type activated sludge treatment system called "MicroFAST 0.9", which is designed to accommodate treatment of 900 gallons per day of residential wastewater.

According to materials provided to Board staff by the Gloudemans' and the MicroFAST manufacturer, this system is designed to provide advanced treatment of wastewater, including clarification, aeration, nitrification/de-nitrification and activated sludge. The documentation submitted indicates a total nitrogen reduction of approximately 70 percent. The product water would be discharged to a leachfield. The Gloudeman's propose to enter into a maintenance agreement with a qualified engineer for the operation of this alternative system. In addition, the

Gloudemans have also agreed to conduct quarterly monitoring of the system for nitrates. San Bernardino County has advised Regional Board staff that the Gloudemans will be required to obtain an annual permit for the operation of the alternative system and that the County will inspect the system annually to determine if the alternative system is operating as required.

It should also be noted that should the alternative disposal system not operate as required, the Gloudemans will eliminate the alternative system and will implement an acceptable offset program, as provided by the MLSRs.

RECOMMENDATION:

Approve Mr. and Mrs. Gloudeman's request for an exemption from the minimum lot size requirements based on the use of an alternative disposal system, with the following stipulations: 1) The Gloudemans will enter into an agreement with a qualified engineer for the operation and maintenance of the alternative system. A copy of this agreement shall be submitted to the Regional Board; 2) The Gloudemans will conduct quarterly sampling for one year to determine the nitrate (as N) concentration in the effluent and submit those analyses to the Regional Board office within 30 days after such sampling and analysis has occurred; and 3) the Gloudemans shall operate the alternative treatment system so as to assure consistent compliance with 9.73 mg/L nitrate as nitrogen to assure compliance with the objective for the Bunker Hill B groundwater management zone; and, 4) the Gloudemans shall obtain an annual permit from the County Health Department for the operation of the alternative system. In the event that these conditions are not satisfied, the Gloudemans shall either: (1) implement a program acceptable to the Executive Officer to offset septic system discharges; the program shall provide for the sewer connection of a dwelling unit that would not otherwise be required to connect; or, (2) cease discharges from one of the dwelling units (i.e., cap off or otherwise eliminate fixture units in one of the dwelling units).

Comments were solicited from the following agencies:

State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
San Bernardino County Environmental Health Services – Corwin Porter/Mike Farrell
San Bernardino County Department of Building and Safety – Barbara Johnston



California Regional Water Quality Control Board

Santa Ana Region



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Arnold Schwarzenegger
Governor

April 7, 2006

Nichalaus and Rhonda Gloudeman
2561 Sycamore Drive
La Verne, CA 91750

APPEAL TO THE REGIONAL BOARD FOR AN EXEMPTION FROM THE MINIMUM LOT SIZE REQUIREMENT BASED ON THE USE OF AN ALTERNATIVE TREATMENT SYSTEM AT 1363 WARD WAY, MENTONE, SAN BERNARDINO COUNTY, APN 0298-331-03

Dear Mr. & Mrs. Gloudeman:

This is in response to your request for Regional Board consideration of the use of an alternative disposal system at the above-referenced site as the basis of an exemption from the minimum lot size requirement for subsurface disposal system use. Your appeal has been scheduled for consideration at the Board's April 21, 2006 meeting at the City Council Chambers of Loma Linda. The meeting is scheduled to begin at 9:00 a.m. A copy of the staff report that will be presented to the Board regarding this matter and the agenda announcement for the meeting are enclosed.

During the meeting, you will have an opportunity to present your case to the Board. If you have any questions about the proceedings, please contact Jun Martirez at (951) 782-3258 or Susan Beeson at (951) 782-4902.

Sincerely,

Joanne E. Schneider
Environmental Program Manager

Enclosures: Staff Report and Agenda Announcement

cc w/ enc: State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
San Bernardino County Environmental Health Services – Corwin Porter/Mike Farrell
San Bernardino County Department of Building and Safety – Barbara Johnston

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California Environmental Protection Agency



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